

Service Date: November 12, 1895

FINAL ORDER NO. 5648

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION

In the Matter of the Application of)	DOCKET NO. T-8812
Glen D. Bush, Darby, Montana for a)	
Certificate of Public Convenience)	ORDER NO. 5648
and Necessity.)	

The Commission, having taken evidence and being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On September 20, 1985, Glen D. Bush, P.O. Box 93, Darby, Montana 59829, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing the transportation of wood chips, sawdust and hog-fuel, Class C, from the Darby Lumber Planer Mill, Inc. site (located .3 miles of Darby, Montana) and a one (1) mile radius thereof over U.S. 93 and U.S. 10 West to the Champion International Corp. Plant site (approximately 13 miles west of Missoula, Montana).

2. In accordance with Section 69-23-321, MCA, as amended, this matter was noticed to the public October 4, 1985. That notice said in pertinent part:

If no written protests are received by October 24, 1985, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. No protest or responses of any kind were received.

4. The record of this application is available for inspection at the Public Service Commission Office, 2701 Prospect Avenue, Helena, Montana 59620.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority to be sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its office at 2701 Prospect Avenue, Helena, Montana, on the 12th day of November, 1985, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-8812, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Glen D. Bush, P.O. Box 93, Darby, Montana 59829 for a Certificate of Public Convenience and Necessity IS GRANTED to the following

extent: CLASS C - Wood chips, sawdust and hog-fuel from the Darby Lumber Planer Mill, Inc. site (located .3 miles north of Darby, Montana) and a one (1) mile radius thereof over U.S. 93 and U.S. 10 West to the Champion International Corp. Plant site (approximately 13 miles west of Missoula, Montana).

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 12th of November, 1985, by a vote of

5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

CLYDE JARVIS, Chairman

JOHN B. DRISCOLL, Commissioner

HOWARD L. ELLIS, Commissioner

TOM MONAHAN, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Trenna Scoffield
Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.